25 October 2016

Attention: Emma Barnet
Department of Planning & Environment
Industry Assessments
GPO Box 39
SYDNEY NSW 2001

Contact::	Janine McCarthy
Our Ref:	DOC2016/057468
Your Ref:	DA-86-04-01-MOD 10 and 10397 of 1995-MOD 8

Dear Ms Barnet

**Proposed Modification to Weston Aluminium Dross Recycling Facility
DA-86-04-01- MOD 10 and LEC 10397 of 1995 - MOD 8,
129 Mitchell Avenue (Lot 796 DP 39877), Kurri Kurri**

Thank you for the opportunity to provide comments in respect of the abovementioned applications, which seek to remove the distinction between spent potlining (SPL) types in the consent, thereby enabling the facility to process both first cut and second cut SPL as well as a mix of both.

It is noted that the exhibition period concluded on 20 October 2016, and I therefore apologise for the lateness of Council's submission.

The proposal has been reviewed by Council officers, and overall, Council does not object to the applications. Notwithstanding, it is considered important that the environmental performance of the facility be continually monitored to ensure it does not create any hazards or risks to the surrounding environment and the community. It is acknowledged that the facility operates under an Environmental Protection Licence issued by NSW EPA, and it is therefore expected that the NSW EPA will continue to monitor the site.

In addition to the above comments, it is recommended that, in the event approval is granted, the following condition be imposed on any determination notice issued:

> *An air quality validation report is to be carried out within 6 months of commencing operation to confirm that the predicted air quality impacts are within allowable concentrations. Any discrepancies should be communicated to NSW Health, Planning and Environment, and Cessnock City Council.*

If you require any further information, do not hesitate to contact Council's Development Services Manager, Janine McCarthy on telephone 02 4993 4254.

Yours faithfully

Gareth Curtis
Director Planning and Environment